

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-1013-PDDate: October 9, 2025Title Kirk Kara Corp. v. Oriental Trading Company, Inc. et alPresent: The Honorable Patricia Donahue, United States Magistrate Judge

Isabel Verduzco
Deputy ClerkN/A
Court Reporter / RecorderAttorney Present for Plaintiff:
Not presentAttorneys Present for Defendant:
Not present

Proceedings (In Chambers): Continuance of Order to Show Cause
Re: Service of Process on Defendant
Click Here 2 Shop, LLC

On September 10, 2025, the Court issued an Order to Show Cause (the “Order”) regarding service of process on Defendant Click Here 2 Shop, LLC (“Defendant”). Dkt. No. 21. The complaint was filed on February 5, 2025. Dkt. No. 1. The summons for Defendant was issued on July 1, 2025, following Plaintiff’s doe amendment on June 5, 2025. Dkt. Nos. 16, 18.

The Court ordered Plaintiff to show cause in writing by October 3, 2025, why this action should not be dismissed for failure to effectuate service under Federal Rules of Civil Procedure 4(m). Dkt. No. 21.

On October 3, 2025, Plaintiff filed a response asking that the Order be discharged or continued. Dkt. No. 22. Plaintiff has attempted to serve Defendant six times at the registered agent’s address, and once at a member’s address. Dkt. Nos. 22-1 at 2; 22-2 at 2. Plaintiff also sent an email containing the complaint, summons, and Notice of Assignment to three known email addresses for Defendant. Dkt. No. 22-1 at 2. Plaintiff has made these service attempts between August 5 and September 26, 2025. As a result, Plaintiff requests leave to file a motion for alternate service within two weeks of its response. Dkt. No. 22 at 2.

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Based on the foregoing, the Court continues the Order to Show Cause for Plaintiff to file its motion for alternate service. Lastly, the Court notes that the Declarations of Non-Service in Plaintiff's response to the Order state, "Notice of Assignment". *See* Dkt. No. 22-2. 22-3. Plaintiff is reminded that any proof of service must specifically refer to the document as the "Notice of Assignment to a U.S. Magistrate Judge and Declination of Consent."

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE by no later than October 17, 2025** why this action should not be dismissed without prejudice for failure to prosecute. Plaintiff may discharge this Order by filing a proper proof of service or filing a motion for alternate service.

IT IS SO ORDERED.